

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

0.382 ACRES OF LAND, MORE OR LESS,
SITUATE IN STARR COUNTY,
STATE OF TEXAS; AND JESUS
ALVAREZ, JR., ET AL.,

Defendants.

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CASE NO. 7:20-CV-329

JOINT STATUS REPORT

The United States of America (“United States”), through the undersigned Assistant United States Attorney, and Defendant Jesus Alvarez, Jr., through Attorney Peter McGraw, (collectively, “Parties”) file this joint status report in accordance with the Court’s June 01, 2021 order:¹

1. The United States filed an Amicus Brief Regarding Ownership of the Subject Property on May 27, 2021.² On the same day, Defendant Jesus Alvarez, Jr. had filed a Motion Seeking Determination of Ownership and Motion to File Exhibits Under Seal, which also address title issue in the present matter.³ Accordingly, the Parties agree that title issue in the present matter is ripe for the Court’s consideration.
2. Upon the Court’s determination of title, the Parties will seek a determination of just compensation and request that the Court set a status conference or issue a scheduling order for said issue. To be noted, as the Parties request a determination of just

¹ Dkt. No. 48.

² Dkt. No. 43.

³ Dkt. Nos. 45 & 46.

compensation, the two pending motions—Defendant Jesus Alvarez, Jr.’s Rule 71.1(i)(1)(C) Motion to Dismiss Plaintiff’s Complaint in Condemnation and Declaration of Taking⁴ and United States’ Opposition to Defendant’s Motion to Dismiss and Cross-Motion to Strike Improper Defenses Motion to Strike⁵—will become ripe for the Court’s consideration.⁶

Respectfully submitted,

JENNIFER B. LOWERY

Acting United States Attorney
Southern District of Texas

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⁴ Dkt. No. 22.

⁵ Dkt. No. 28.

⁶ See Dkt. No. 40.

CERTIFICATE OF SERVICE

I, Chanmealea Thou, Assistant United States Attorney for the Southern District of Texas, hereby certify that on this 10th day of August 2021, a copy of the foregoing will be served via regular U.S. mail on all parties who do not receive ECF notification in accordance with the Federal Rules of Civil Procedure.

s/ Chanmealea Thou
CHANMEALEA THOU
Assistant United States Attorney